


FORM PTO-1390 (REV. 12-2001)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER C-106	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (If known, see 37 CFR 1.5 10/009,657	
INTERNATIONAL APPLICATION NO. PCT/IB00/00536		INTERNATIONAL FILING DATE 27 April 2000		PRIORITY DATE CLAIMED 30 April 1999	
TITLE OF INVENTION DATA COMMUNICATION IN A WIRELESS LOCAL AREA NETWORK USING M-ARY CODE KEYING					
APPLICANT(S) FOR DO/EO/US T. O'Farrell, et al.					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <input type="checkbox"/> is attached hereto.</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (copy) see item 20(b) below*</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>					
Items 11 to 20 below concern document(s) or information included:					
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A FIRST preliminary amendment.</p> <p>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information:</p> <p>(a) Form PCT/DO/EO/905 - "371 Formalities Notice" mailed February 27, 2002.</p> <p>* (b) The original Supplemental Declaration signed by the inventors on February 26, 2002 was filed in the U.S. Patent and</p>					

Trademark Office on March 11, 2002. Copies of Applicants' return receipt postcard, transmittal letter and updated Patent Application Data Entry Form filed on March 11, 2002 are enclosed.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/009,657		INTERNATIONAL APPLICATION NO. PCT/IB00/00536		ATTORNEY'S DOCKET NUMBER MAC-106	
21. <input checked="" type="checkbox"/> The following fees are stated:				CALCULATIONS PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. \$1040.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO. \$890.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO. \$740.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4). \$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4). \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =		x \$18.00	\$	
Independent claims	- 3 =		x \$84.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 65.00	
SUBTOTAL =				\$ 65.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$ 65.00	
04/18/2002 00000157 10009657 01 FC:254 65.00 DP				Amount to be refunded: \$	
				charged: \$	
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0625</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Barry R. Lipsitz Law Offices of Barry R. Lipsitz 755 Main Street, Building No. 8 Monroe, CT 06468 (203) 459-0200 Date: 02 April 2002					
				SIGNATURE  Barry R. Lipsitz NAME 28,637 REGISTRATION NUMBER	

FORM PTO-1390 (REV. 12-2001) page 2 of 2

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: BOX PCT, Commissioner for Patents, Washington, D.C. 20231 on:

April 2, 2002

By:


 Carol Prentice

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re Application of:

T. O'Farrell, et al.

U.S. Application No.: 10/009,657

Filed: October 30, 2001

Title: DATA COMMUNICATION IN A WIRELESS LOCAL
AREA NETWORK USING M-ARY CODE KEYING

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to:
Commissioner for Patents, Washington, D.C. 20231 on: **February 28, 2002**

By:

Carol Prentice

Carol Prentice

Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Dear Sir:

Enclosed are the following items for filing in the above-referenced patent application:

- [x] Supplemental Declaration, Power of Attorney and Petition – 2 sheets
- [x] Updated Patent Application Data Entry Form – 2 sheets

The enclosed Patent Application Data Entry Form has been updated to include the inventors' country of residence under "Inventor Information".

Respectfully submitted,

[Signature]

Barry R. Lipsitz
Attorney for Applicant(s)
Registration No. 28,637
Law Offices of Barry R. Lipsitz
755 Main Street, Bldg. No. 8
Monroe, CT 06468
(203) 459-0200

Date: February 28, 2002
Attorney Docket No.: MAC-106

Commissioner for Patents
Washington, D.C. 20231

Sir: Please acknowledge receipt of the following papers by stamping and returning this card.

In re Application of:

Application No.:

Filed:

Title:

Attorney Docket No.:

T. O'Farrell, et al.

10/009,657

October 30, 2001

DATA COMMUNICATION IN A WIRELESS LOCAL AREA NETWORK USING
M-ARY CODE KEYING
MAC-106

- [x] Transmittal Letter - 1 sheet
- [x] Supplemental Declaration, Power of Attorney and Petition - 2 sheets
- [x] Updated Patent Application Data Entry Form - 2 sheets

Attorney: B. R. Lipsitz

Mailed: February 28, 2002



JC05 Rec'd PCT/PTO 11 MAR 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box 901
 United States Patent and Trademark Office
 Washington, D.C. 20530
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/009,657	T. O'Farrell	MAC-106

INTERNATIONAL APPLICATION NO.

PCT/IB00/00536

I.A. FILING DATE	PRIORITY DATE
------------------	---------------

04/27/2000

04/30/1999

Barry R Lipsitz
 Law Offices of Barry R Pipsitz
 755 Main Street
 Building No. 8
 Monroe, CT 06468

4/27/02

CONFIRMATION NO. 8384

371 FORMALITIES LETTER



OC000000007517227

Date Mailed: 02/27/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Assignee Statement
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination
- Small Entity Statement

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE

OF THIS NOTICE OR BY 22 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 305-3734

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/009,657	PCT/IB00/00536	MAC-106